

Regular Annexation

A regular annexation petition must be submitted with the signatures of at least a majority of the property owners within the area proposed to be annexed. Some of the major provisions related to regular annexations include:

- A. Hearing must be held not less than 60 or more than 90 days after the petition is filed. At the hearing, examination and cross-examination of witnesses are allowed.
- B. Commissioners may issue subpoenas for witnesses, papers, and documents. The board must issue subpoenas if requested by a party to the proceedings. The Act also includes provisions explaining how to enforce subpoenas.
- C. Commissioners must adopt a resolution granting or denying the petition within 30 days after the conclusion of the hearing.
- D. The resolution granting or denying the petition must include specific findings of fact that each of the following conditions has or has not been met:
 - 1. The petition meets the technical requirement so the statutes.
 - 2. The petition was properly filed.
 - 3. The persons who signed the petition are owners of the property proposed to be annexed.
 - 4. The petition contains the signatures of a majority of the owners of property within the area proposed to be annexed.
 - 5. The municipality has adopted an ordinance stating what services it will provide to the territory to be annexed and the approximate starting date of the provision of the services.
 - 6. The territory is not unreasonably large.
 - 7. On balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the annexation petition is granted. The surrounding area includes the unincorporated area within one-half mile of the territory proposed to be annexed.
 - 8. No street or highway will be divided or segmented so as to create a road maintenance problem, or the municipality has agreed to assume road maintenance responsibility as a condition for the annexation.
- E. The commissioners grant or deny the annexation on the basis of a preponderance of the substantial, reliable, and probative evidence on the whole record.
- F. Specified parties may appeal the action of the board in the granting or denying a petition under Ohio Revised Code (ORC) Chapter 2506, Administrative Appeals. The former injunction process has been eliminated.